

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JACK WILMER EATMON,

Movant,

VS.

THE UNITED STATES OF AMERICA,

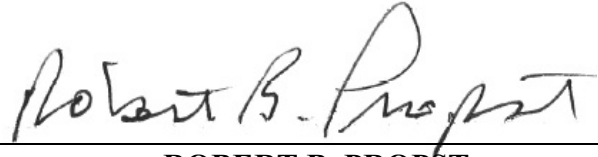
Respondent.

CRIMINAL NO. 92-RBP-RRR-0096-NE

MEMORANDUM OPINION

The magistrate judge entered a report and recommendation recommending that the motion to dismiss the “Petition for an Order to Show Cause” be GRANTED, that the “Petition for an Order to Show Cause” be DISMISSED, and that the “Motion Under 18 U.S.C. § 3582(c)(2) and Sentencing Guideline § 3B1.1 for a Reduction of Sentencing Based on Guideline Amend[m]ent #500 Concerning Role in Offense” and the supplement to that motion be DISMISSED. No objections have been filed. The court has considered the entire file in this action, together with the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved. Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. The “Petition for an Order to Show Cause” and the “Motion Under 18 U.S.C. § 3582(c)(2) and Sentencing Guideline § 3B1.1 for a Reduction of Sentencing Based on Guideline Amend[m]ent #500 Concerning Role in Offense” and the supplement to that motion are due to be DISMISSED. An appropriate order will be entered.

Done this 5th day of June, 2006.

A handwritten signature in black ink, reading "Robert B. Propst". The signature is written in a cursive style with a large, looped initial "R".

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE